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:R686US -TORCH - 134 / 800

:R686US -TORCH - 134 / 800

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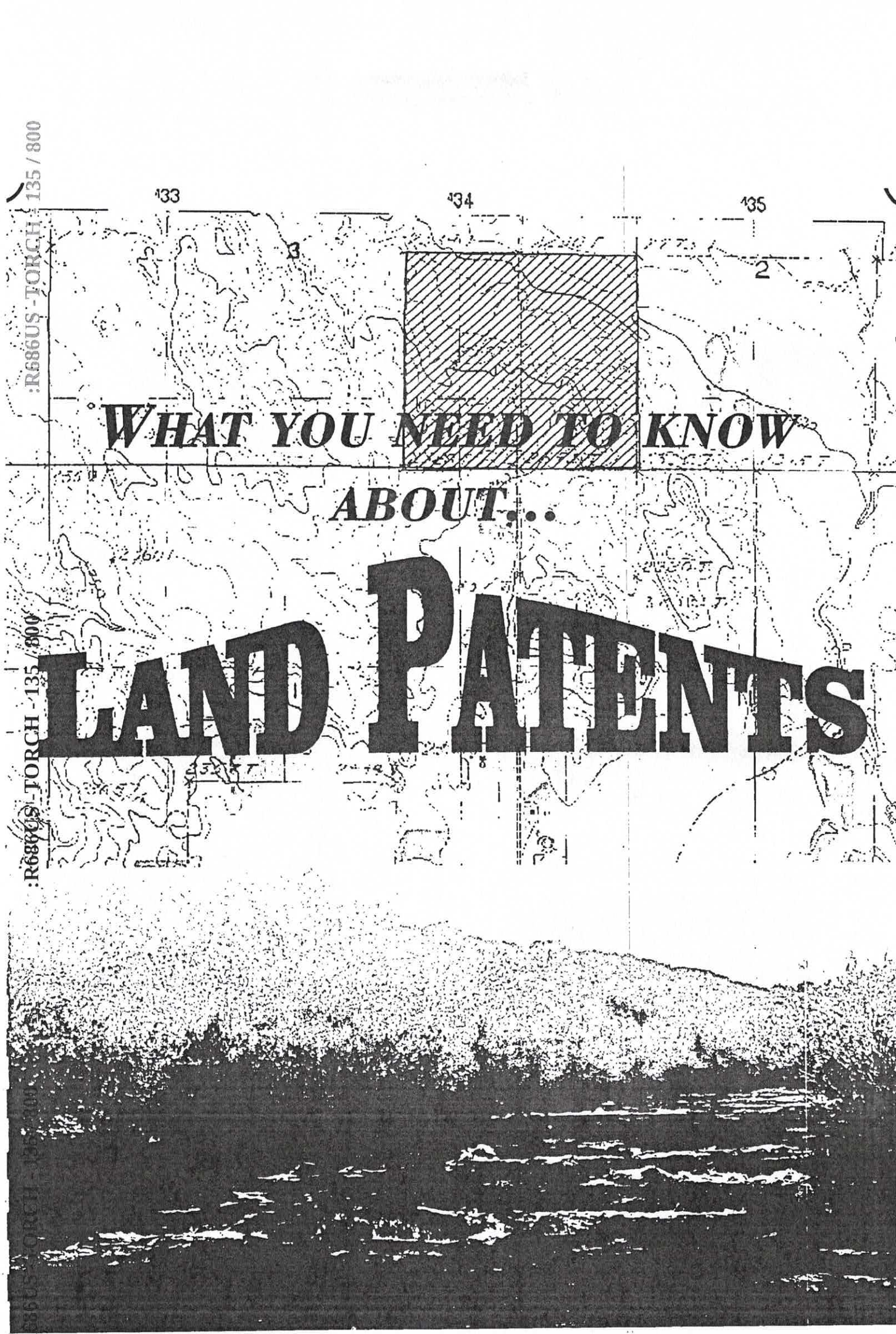

WHAT YOU NEED TO KNOW ABOUT...

LAND PATENTS

:R686US -TORCH - 136 / 800

:R686US -TORCH - 136 / 800

WHAT YOU NEED TO KNOW ABOUT...

LAND PATENTS

U. S. Land Patents are the SUPREME LAW of the LAND per the Constitution for the United States of America: Art. VI (2) and Art. IV § 3 (2)

BY: Ron Gibson

SECOND EDITION – 2014

TABLE OF CONTENTS

:R686US -TORCH - 138 / 800

:R686US -TORCH - 138 / 800

INTRODUCTION

Hello, my name is Ron Gibson. Welcome to the world of Land Patents.

The purpose of this book, in its second edition, is to help you to better understand what you need to know about LAND PATENTS.

My purpose in compiling the information contained within this book is to help the reader to better understand what a land patent is and the LAW relating to land patents. I not only want to provide the reader with some of the history and law regarding Land Patents, but also to provide the blue print of how to bring your Land Patent forward.

DISCLAIMER: *The information contained in this book, is for informational purposes only, it is not to be taken as legal advice. This information herein is to inform the reader of what a patent is and case law to support its standing. Do your own research so that you are satisfied as to its standing in law. In the event that your land patent is challenged it may need court action.*

In today's world the subject of land patents has almost been lost, both with the public but also the courts, when in fact a land patents authority and jurisdiction are forever! (It states forever on the patent)

It is very important that you fully understand not only what a Land Patent is, but also how to defend it and why!

The right of Land ownership comes from the **Bible, Genesis; Chapter, 28: v. 13,14,15, Genesis 47** and other references in the Bible as well.

A land patent is known in law as "Letters patent", and usually issues to the original grantee and to their heirs and assigns forever. The patent stands as evidence of the supreme title to the land, because it secures that all evidence of title existent before its issue date was reviewed by the sovereign authority under which it was sealed and was so sealed as irrefutable; thus, in law the land patent itself so becomes the title to the land defined within its four corners.

:R686US -TORCH - 140 / 800
:R686US -TORCH - 140 / 800

NOTES/COMMENTS

OVERVIEW OF LAND PATENTS

You may be asking the question, what is a land patent?

A **land patent** is - the conclusive evidence of the right, title and interest in a particular track of land granted to a private party by and from the united states government. In addition to the granting of the land to the grantee, he also receives all of the Authority and Jurisdiction relating to that land. This is what is called a **True Title!**

Note; The land disposal (patent), authority and jurisdiction come by way of Treaty Law.

Your land comes to you from the treaty through your Land Patent. This is critical. The Land Patent secures the treaty authority and jurisdiction to you. The courts are bound by the Supremacy Clause, Article VI Clause II & of the Constitution to uphold the treaty making your Patent a statutory limitation throughout the land! **Wineman v. Gastrell, 54 FED 819, 2 US App. 581.**

When a land patent is issued by the united states government to the grantee, that land patent stands forever, That is why on every land patent issued it states to their **HEIRS AND ASSIGNS FOREVER!**

"The American people, newly established sovereigns in this republic after the victory achieved during the Revolutionary War, became complete owners in their land, beholden to no lord or superior; sovereign freeholders in the land themselves.

These freeholders in the original thirteen states now held allodial title to the land they possessed. This new and more powerful title protected the sovereigns from unwarranted intrusions or attempted takings of their land, and more importantly it secured in them a right to own land absolute in perpetuity. By definition, the word perpetuity means, continuing forever".

:R686US -TORCH - 142 / 800
:R686US -TORCH - 142 / 800

NOTES/COMMENTS

Types of Land Patents

There are eleven (11) different types of land patents.

1. - **Cash Entry Patent**: An entry that covered public lands for which the individual paid cash or its equivalent.

2. - **Credit Patent**: These patents were issued to anyone who either paid by cash at the time of sale and received a discount; or paid by credit in installments over a four-year period. If full payment were not received within the four-year period, title to the land would revert back to the Federal Government.

3. - **Homestead Patent**: A Homestead allowed settlers to apply for up to 160 acres of public land if they lived on it for five years and proof of cultivation and improvements. This land did not cost anything per acre, but the settler did pay a filing fee.

4. - **Military Warrant Patent**: From 1788 to 1855 the United States granted military bounty land warrants as a reward for military service. These warrants were issued in various denominations and based upon the rank and length of service.

5. - **Mineral Patent**: The **General Mining Law of 1872** defined mineral lands as a parcel of land containing valuable minerals in its soil and rocks. There were three kinds of mining claims:

   A. - **Lode Claim Patent**: Contained gold, silver or other precious metals occurring in veins;

   B. - **Placer Claim Patent**: Are for minerals not found in veins or lode formation; loose gravel, etc.

   C. - **Mill Site Claim Patent**: Are limited to lands that do not contain valuable minerals. Up to five acres of public land may be claimed for the purpose of processing minerals.

6. - **Private Land Claim Patent**: A claim based on the assertion that the claimant (or his predecessors in interest) derived his right while the land was under the dominion of a foreign government.

7. - **Railroad Patent**: To aid in the construction of certain railroads. The **Act of September 20, 1850**, granted to the State alternate sections of public land on either side of the rail lines and branches.

8. - **State Selection Patent**: Each new State admitted to the Union was granted 500,000 acres of public land for internal improvements established under the **Act of September 4, 1841.**

9. – **Swamp Patent**: Under the **Act of September 28, 1850**, lands identified as swamp and overflowed lands unfit for cultivation was granted to the States. Once accepted by the State, the Federal Government had no further jurisdiction over the parcels.

10. - **Town Site Patent**: An area of public lands which has been segregated for disposal as an urban development, often subdivided in blocks, which are further subdivided into town lots.

11. - **Town Lot Patent**: May be regular or irregular in shape and its acreage varies from that of regular subdivisions.

NOTE:

Regarding **Homestead Patents**; anyone applying for a **Homestead Patent** was required to do a mineral examination within the boundaries being clamed for patent to determine whether any minerals were found. *If minerals were found within the said boundaries before patent issue, then the minerals did not pass with the patent.* Known as: **The Noble Discussion.**

The reason being that the Mineral Lands in the united states was and is to this day considered to be a separate land estate: Surface Estate and Subsurface Estate (Mineral).

Note; The Rail Road is by far the largest Patented landowner in the united states, most of which is still under the Original Land Patent.

:R686US -TORCH - 145 / 800
:R686US -TORCH - 145 / 800

NOTES/COMMENTS

ADDITIONAL LAND PATENT INFORMATION

Note:

Any land description excepting any public contract that may infringe on the reasonable and necessary rights of relevant landowners. The land description is excepting infringement on the sovereign rights of the Grantee as a matter of principal under Common Law. Any such infringement of sovereign unalienable rights as protected by the **Constitution for the united states of America, c. 1787**, as amended by the first ten Amendments, known as the **Bill of Rights, c. 1791, is declared excluded, null and void!**

This is notice, of your Pre-emptive Right to possess your land pursuant to the Declaration of Independence [1776]; Law of Nations, Treaty of Peace with Great Britain [8 Stat. 80]; Treaty of Paris [1783]; An Act of Congress [3 Stat. 566, April 24, 1824]; The Homestead Act [12 Stat. 392, 1862]; and 43 USC sections 57, *59,* and 83. The Grantee(s)/ Assignee(s) is mandated, pursuant to Article IV, Section III, Clause II, Article VI Sections 1, 2, 3; Article IV, Section 1, Clause 1 and 2, Section 1 Clause 8, 2; Section 4; the 4th, 7th, 9th, and 10th Amendments [United States Constitution 1789-91], and numerous legislated positive laws, to accept and acknowledge the grant by the original Land Grant/Patent to the original grantee of title in Fee Simple/Allodium; by taking delivery, taking possession, occupying, and accepting title in the chain of title from the original grantee of title, Land Grant/Patent Grantee(s)/Assignee(s) accept said title as Perfect Title. This is a formal Declaration that this process is lawfully executed and completed, being *Nunc Pro Tunc.*

This is the only lawful method that Perfect Title can be held in the grantee's name. See: **Wilcox v. Jackson 13 PET US 498, 101 ED. 264**. All questions of fact decided by the General Land Office are binding everywhere, and injunctions and mandamus proceedings will not lie against it. See: **Litchfield v. The Register, 9 Wall US 575, 19L. ED. 681.** This document is instructed to be attached to all deeds and conveyances in the name of the Party, and to never be separated from them. The required recording of this document, in a manner known as: *Nunc Pro Tunc,* is mandated and endorsed by United States Positive Supreme Law and cited by case history in this document.

The Notice and effect of a Land Patent or Grant of Public Land is a public Law standing on the books in all States (**Except Texas**) and is notice to every subsequent purchaser under any conflicting sale made afterward (the date of the original Land Grant/Patent). See:
Wineman v. Gastrell 54 FED 819, 4 CCA 596, 2 US APP 581.
A patent alone passes perfect title to Grantee. See:
Wilcox v. Jackson, 13 PET US. 498, 10 L. ED 264.

When the United States has parted with a title by patent, legally issued, and upon surveys made by it self and approved by the proper department, the title so granted cannot be impaired by any subsequent survey made by the government for its own purposes, **Gage v. Danks 13 LA. ANN, 128.**

In the case of ejectment, where the question has been who has the legal title the title patent of the government is unassailable, **Sanford v. Sanford 139 US 642**. The transfer of lawful Title Patent to public domain gives the Grantee the right to possess and enjoy the land transferred, **Gibson v. Chouteau, 80 US 92.**

A patent for land is the highest evidence of title and is conclusive as evidence even against the Government and all others claiming under junior patents or titles (Warranty Deed) etc., **United States v. Stone, 2 US 525**. Estoppel is hereby noticed and has been maintained as against a municipal corporation (County), **Beadle v. Smyser, 209 US 393**.

Until it issues, the Fee is in the Government trust, which by patent passes to the Grantee, and he is entitled to enforcement possession in ejectment, **Bagnell v. Broderick, 3 Peter US 436.** State statutes that give lesser authoritative ownership of title than a patent cannot even be brought in Federal Court, **Langdon v. Sherwood, 124 US 74, 80.** The power of Congress to dispose of land cannot be interfered with, or its exercise embarrassed by any state legislation; nor can such legislation deprive the Grantees of the United States of the possession and enjoyment of the property granted by reason of any delay in the transfer of the title after the initiation of proceedings for its acquisition, **Gibson v. Chouteau. 13 Wall US 92, 93.**

"The patent is prima facie conclusive evidence of title,"
Marsh v. Brooks, 49 US 223, 224.

An estate in inheritance without condition, belonging to the owner and alienable by him, transmissible to his heirs absolutely and simply, is an absolute estate in perpetuity and the largest possible estate a man can have; being in fact allodial in its nature, **Stanton v. Sullivan, 63 R.L 216 7a, 696.** The original meaning of perpetuity is an inalienable, indestructible interest. **Bouvier's Law Dictionary Volume 3, page 2570 (1914).**

NOTE:

The Grantee(s)/Assignee(s) is/are, in fact, through perfected title by Land Grant/Patent, the lawful owners of the described land, held in Fee Simple/Allodium, including all appurtenances and the Grantee(s)/Assignee(s).

Notice of Claim of "Forever" Benefit of Original Grant/Patent and Hereditaments.

If a Land Grant/Patent is not challenged, by any and all claimants, within sixty (60) calendar days, with lawfully documented proof to the contrary, this will be forever default judgment and estoppel against all future claims, from any source, and absolute title to said described land, and the Grant/Patent is established for all time, as no one else has followed the proper lawful steps to acquire legal/lawful title.

:R686US -TORCH - 149 / 800
:R686US -TORCH - 149 / 800

NOTES/COMMENTS

LAW ON RIGHTS, PRIVILEGES AND IMMUNITIES:

When land title is transferred by patentee, Title and Rights of Bona Fide claim/purchaser will be protected:

United States v. Debell, 227 F 760 (C8 SD 1915);
United States v. Beamon 242 F 876 (CA8 Colorado 1917);
State v. Hewitt Land Company, 74 Washington 573, 134 P 474; 43 USC & 15 n 44.

An Assignee, whether he is the first, second or third party to whom title is conveyed, shall lose none of the original rights, privileges or immunities of the original Grantee of the Land Grant/Patent. No state shall impair a private contract, **U.S. Constitution Article 1, section 10.**

In Federal Courts the Land Patent is held to be the foundation of title at law, Fenn v. Holme, 62 US 21 How. 481 481 (1858)

A lawful Land Patent holder is immune from collateral attack:

Collins v. Bartlett, 44 CAL 371;

Weber v. Pere Marquette Boom Co., 62 Michigan 626, 30 N.W. 469; Suret v. Doe, 24 Miss. 118;

Pittsmont Copper Co. v. Vanina, 71 Mont. 44, 227 PAC 45;

Green v. Barker, 47 NEB 934, 66 NW 1032.

A Land Patent is conclusive evidence that the patent has complied with the act of congress, as concerns improvements on the land, etc. I believe there is no evidence to the contrary.

Jankins v. Gibson, 3 LA ANN 203;
U.S. v. Steenerson 50 FED 504, 1 CCA 552, 4 U.S. APP. 332.

NOTES/COMMENTS

OREGON ADMISSION ACTS

ACT OF CONGRESS ADMITTING OREGON INTO UNION

[Approved February 14, 1859]

Preamble. Whereas the people of Oregon have framed, ratified, and adopted a constitution of State government which is republican in form, and in conformity with the Constitution of the United States, and have applied for admission into the Union on an equal footing with the other States; Therefore Section 4. Certain propositions offered to people of Oregon for acceptance or rejection. " Fifth Part. That five per centum of the net proceeds of sales of all public lands lying within said State which shall be sold by Congress after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to said State, for the purpose of making public roads and internal improvements, as the legislature shall direct: Provided, That the foregoing propositions, herein before offered, are on the condition that the people of Oregon shall provide by an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations Congress may find necessary for securing the title in said soil to bona fide purchasers thereof; and that in no case shall non-resident proprietors be taxed higher than residents". **[11 Stat. 383 (1859)]**

ACT OF CONGRESS ADMITTING OREGON INTO UNION,

Approved February 14, 1859, establishing that the "*State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations Congress may find necessary for securing the title in said soil to bona fide purchasers thereof*", the Supremacy Clause, Property Clause, Commerce Clause, or the national Mining Law.

OREGON REVISED STATUTE 164.075

Theft by extortion

1. A person commits theft by extortion when the person compels or induces another to deliver property to the person or to a third person by instilling in the other a fear that, if the property is not so delivered, the actor or a third person will in the future:

a) Cause physical injury to some person;
b) Cause damage to property;
c) Engage in other conduct constituting a crime;
d) Accuse some person of a crime or cause criminal charges to be instituted against the person;
e) Expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule;
f) Cause or continue a strike, boycott or other collective action injurious to some persons business, except that such conduct is not considered extortion when the property is demanded or received for the benefit of the group in whose interest the actor purports to act;
g) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense;
h) Use or abuse the position as a public servant by performing some act within or related to official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely; or
i) Inflict any other harm that would not benefit the actor.

2. Theft by extortion is a Class B felony. **[1971 c.743 §127; 1987 c.158 §27; 2007 c.71 §48]**

:R686US -TORCH - 154 / 800
:R686US -TORCH - 154 / 800

NOTES/COMMENTS

BREIF HISTORY OF ALODIAL LAND PATENTS

The right of ownership to land goes back to Genesis in the Bible and that right has been carried forward ever sense. **Genesis: Chapter 28, v. 13, 14, 15, and Genesis Chapter 47.**

Land Patents were called and are called **"Letter Patents"** because most are one page document much like a regular letter from one person to another.

A land patent that is issued by the United States Government, derives its authority and jurisdiction from Treaties and from there to the **Constitution for the United States of America, Article IV, Sec. 3, Clause, 2**, better known as the land disposal section.

Our Land Patent Laws were largely derived from Old English Law, known as **ALLODIAL PATENTS**, which means (The King of your Land). Once a patent has been issued by the United Sates Government and signed by the President of the United Sates and recorded in the county recorders record in which the land is located, it then becomes your fee simple title (owing to no one). MEANING A TRUE LAND TITLE!

Your **warranty deed** is not a true title, but rather a **color of title**. You may be wondering what does that mean. It means you have a partner in the ownership of your land, (the State)!

The original (concept/idea) "letter patent" was from the King of England. There is a record of these "U.S. Land Patents" in the state archives and county court houses. Under English land law all realty (i.e., real estate) was owned by the King, and from the crown all titles (both lawful and equitable) flow.

"All U.S. land patents flow from treaty rights and hold superior title to the land."

After the Declaration of Independence (1776), the American Revolution, and the Treaty of Peace with Great Britain (1783), the American people became complete, sovereign freeholders in the land with the same prerogative as the King. The King had no further claim to the land and could not tax or otherwise encumber it.

Land cannot be taken for debt or taxes, but Real Estate can be taken.

Allodial Titles & Land Patents

We the People have the unalienable right in a free republic of American Nationals and/or sovereign "state" Citizens to acquire, utilize and "own" property. We the People have the unalienable right to have and hold that property free and clear of government liens and encumbrances. These rights have NOT been abridged, although they have come under attack by the government and the principles/creditors controlling it.

But We the People must understand not only our rights, but how to acquire, utilize and "own" property as it was intended by our founding fathers and guaranteed in the united states of America. We the People (the Kings) must understand not only the nature of money, but also the political, economic and legal systems to be able to claim our rights to acquire and "own" land.

You cannot trust the government, the corporations, the media or the educational system to educate you, or fully disclose honest information about your property rights.

One of the major motivators of the first American Revolution was the issue of allodial rights to land, free and clear of the liens and encumbrances of the King of England. The American people desired to acquire, utilize and "own" their own land without interference from any government, including the government of the United States.

As a result of generations of Constructive Trust Fraud perpetuated against the American people, and the peoples of the world, we've been conned into believing we are "owning" property, when in fact, and by law, we're only in "possession" of property utilizing it as a renter or tenant would. So long as we pay our rent (i.e., taxes or mortgages), get the licenses, pay the fees, have it insured, regulated, zoned and permitted, we can still remain in "possession."

But as soon as we exercise what we believe is our sovereign right to do as we please with our private property, providing we don't damage or injure another or their property, we often get slam-dunked by a fine, eviction or foreclosure. We must learn about allodial titles, land patents, deeds and conveyances to reassert our sovereign right to private property.

Law bestowed an **allodial title**, upon the land with inalienability right forever; no government, agency, bank or other power could place any lien, attachment or encumbrance on land held in an allodial state. An allodial title is derived from the original, federal land patent. "Land Patents" are still today the highest evidence of title and have never been refuted by any court of competent jurisdiction.

All federal "Land Patents" flow from the treaty (e.g. **The Oregon Treaty, 9 Stat. 869, 6/15/1846**), therefore no state, private banking corporation or other federal agency can effectively challenge the superiority of title to land holders who have "perfected" their land patent. With an updated land patent brought forward in "Your Name" you can hold the rights and title to land as a sovereign, "American" Citizen. Be very clear that this is distinctly different from the equitable interest, of a title or deed.

Property tax attaches to the equitable title and interest in the property and real estate through a hidden federal lien, NOT A LAND PATENT. If the property and real estate is recorded with a deed, i.e., Trust Deed, Warranty Deed, Quit Claim Deed, Sheriff's Deed, etc., at the County Recorders office, then it is trust property executed and managed by the legal owners: the County, State and federal United States government corporation, and its principals/creditors.

Thus they are the legal owners of the recorded property and real estate, they can require you (i.e., the tenant) to get building permits, abide by zoning restrictions and other statutory regulations including environmental laws because it's NOT your property or real estate. Most Americans are simply glorified "tenants" on what they erroneously believe is "their" property and real estate. Wake up America!

The original "Letter Patent" was from the King of England. There is a record of these "Land Patents" in the state archives and BLM Regional Office. Under English land law all realty (i.e., real estate) was owned by the sovereign, and from the crown all titles (both legal and equitable) flow.

"<u>All federal land patents flow from treaty rights and hold superior title to land.</u>"

After the **Declaration of Independence (1776), the American Revolution, and the Treaty of Peace with Great Britain (1783),** the American people became complete, sovereign freeholders in the land with the same prerogative as the/a King. The King had no further claim to the land and could not tax or otherwise encumber it.

The "Land Patent" is the only ***evidence*** of TITLE to LAND. Land Patents are derived from the treaties and enabling acts of congress under the signature of the president of the United States when each state entered the Union.

Land Patents are stare decisis (i.e., res judicata). It is already well-settled law and decided. [Editor's Note: See: **Summa Corp. supra; Wineman v. Gastrell, 54 Fed 819; U.S. Appeal 581],**

For example, Railroad land granted and patented in the late 1800's is still "sovereign" today. Building codes and local zoning ordinances do not apply to railroad property. Railroad patents were also issued by a special act of congress (Railroad Grant Acts) granting alternating sections of land in each township. They are still by far the largest landowner in America.

:R686US -TORCH - 158 / 800

:R686US -TORCH - 158 / 800

:R686US -TORCH - 159 / 800
:R686US -TORCH - 159 / 800

NOTES/COMMENTS

UNAPPROPRIATED LANDS = LANDS NOT PATENTED

During the times of the Articles of Confederation, the sovereign state republics wouldn't appropriate any lands to the federal government. They didn't want to relinquish any of their sovereignty to the new government. Finally, the states relented and unappropriated lands were given to the federal government to distribute to the people on the condition that they would grant full allodial title. A "Land Patent Office" was established to distribute these unappropriated lands by way of a grant (Land Patent) to the people.

THE STATE HAS NO AUTHORITY OVER THE LAND; RIGHT AND TITLE HELD BY THE UNITED STATES

All right and title to the unappropriated land was held to the disposition of the united states government to be granted (not sold) to the people. This is how land comes to the people. In the enabling acts, each state republic agreed and declared they would give up all right and title to land. The state has no authority over the land. Except for Texas, which never gave up its lands (State Patent Office) or military (i.e., Texas Rangers) to the federal government. It is still a free and independent sovereign state. The federal United States government became the trustees with a power of attorney over the disbursement of land to the people in all other states.

"Land Patents are issued (and theoretically passed) between sovereigns. Deeds are executed by persons and private corporations without these sovereign powers". **Leading Fighter v. County of Gregory, 230 n.w. 2d114, 116 (1975)**

Through various acts of congress, land was made available for *granting* (not selling), and the American people became the recipients of those land grants. Land Patents are the first conveyance of title ownership to land. One of the earliest laws for granting Land Patents was passed by Congress on April 24, 1820.

Sovereign Citizens were electors in their respective state republics; landowners are the only authority in the united states of America with the power to elect public officers of the government at every level, county, state and national.

This whole system of granting land worked well until the western state republics entering the post-Civil War Union and surrendered unappropriated lands to the federal United States Government that did not get distributed back to the people. Large portions of the west were not distributed to the people, but held as "federal land" (trust lands) or distributed to the states; this was a flagrant violation of the principles upon which America was founded.

So who has all the land in America? If the state doesn't have any authority over land, and the federal United States government corporation can't own land, then who has the land?

We the People still have all the land in America! The land is still ours. It hasn't gone anywhere. The rights and titles haven't been bought or sold. They are not for sale. By the law of the land, We the People are still holding the right and titles to every square inch of land in the united states of America. We the People must reclaim what is ours.

LAND IS GRANTED, NOT BOUGHT & SOLD

What has been bought and sold is the "real estate," the equitable interest to property, to the buildings, improvements, equipment that occupies the space above the land, not the land itself. This is evidenced in the land patent itself, even in the deeds and title insurance contracts. Title insurance excludes coverage for the Land Patent. They cannot and will not insure you against a claim for the right and title to the land itself. The warranty deed grants (not sells) the land, and sells the property or real estate. The United States government corporation may not own any land, but it does have equitable interest in lots of "real estate."

REAL ESTATE v. LAND

You cannot buy land. You cannot sell land. Land must be granted. As a sovereign "American" Citizen it's yours, inherent since the original thirteen colonies formed the united states of America, and each additional state republic entered the Union. Full payment is already made in the Land Patent and all subsequent assignments.

The registration and fees in the securing of a Land Patent were paid to the Surveyor General ($1.25 acre or $2.25 acre for a mining claim). This was NOT the purchase of land. The land patent speaks plainly, "...to give and grant (not sell) unto "Your Name" and his heirs and assigns forever." To grant is to give freely, not to purchase.

RIGHT & TITLE IS CONVEYED BY ASSIGNMENT

All right and title to land is conveyed by assignment, gift or grant directly from a Land Patent. Land Patent rights flow from the treaties and Enabling Acts via power of attorney to an individual landholder who in turn gives, grants and/or assigns the land patents to his/her heirs or others.

Freehold (i.e., allodial) land is beholden to no one. Possession is still 9/10th of the law. Caveat emptor: buyer beware. You have seven years to perfect a claim against land. If notice is duly given and no one contests your claim, it's yours after seven years. That's the "fistful of dirt" doctrine. Permission to grow your own crops as a tenant is in effect an assignment by the landowner, if you claim it.

HEREDITAMENT = INHERITANCE = HEIR APPARENT

APPURTANANCES: that which belongs to something else, an adjunct or appendage; that which passes as incidental, as a right of way or other easement to land. We've been selling property, real estate and equitable interest for generations and abandoning the rights and title to land. Rights and title to land is well established in law. All you need to do in law is to prove that "Your Name" is an heir or assign forever to the original Land Patent.

The original **(General Land Office) Land Patent Office** is now the **Bureau of Land Management (BLM)**, which consisted of government land officers. Records of the original Land Patents are kept there. Perfecting an allodial title requires updating the original land patent and rewriting the legal description for the land in metes and bounds the measurements of the original Surveyor General.

Research the abstracts of title, make a claim, and bring the title forward minus any exclusions (i.e., easements). Update and record your Land Patent in the "Great Book" at the County Recorder's office. Because bringing forth the true title is pursuant to the Common law, you must be a sovereign "American" Citizen to claim the rights and title to land. This is distinct from any actions relating to the equitable title, and any liens or encumbrances attached thereof.

:R686US -TORCH - 163 / 800
:R686US -TORCH - 163 / 800

NOTES/COMMENTS

Federal Liens and Property Taxes

In the de jure united states of America and under the Common law, the land patent is the highest evidence of title for the sovereign "American" Citizen, evidence of allodial title and true ownership. But in a bankrupt and de facto federal United States inhabited by U.S. citizens and directed by its creditors under Admiralty law, the REAL ESTATE is collateral hypothecated against the debt, which has been fraudulently transferred to the international bankers regarding your property.

There is a hidden federal lien on all REAL ESTATE in the federal United States because of the federal debt to the International Monetary Fund. This federal lien is NOT attached to the land, but to the property and real estate situated above the land. It is assessed and collected through the property tax. [Editor's Note: Eric Madsen asserts the **"real estate"** of the United States was quit claim deeded to the International Monetary Fund (IMF) by the last sitting U.S. Supreme Court in 1944 as their last action. The rights, title and interest in the land still belong with We The People (THE KING)].

RELEASE THE LIENS ON EQUITABLE TITLE

Discover how much federal debt is attached to your property and real estate by writing the Department of the Interior and requesting an accounting of what portion of the federal debt is attached to your property. To motivate them, tell them you want to pay off the debt in full. Borrow the FRN if necessary to discharge the debt in full, OR offer to "pay" the debt in full with gold/silver (they will refuse to accept).

Now, you can sue the title insurance company for treble damages for not revealing the hidden federal lien when you purchased the property and real estate in the first place. They failed to perform on their end of the contract. They will likely settle out of court.

This lien must be satisfied, paid or released to own equitable title to your property and real estate free and clear, as well as any outstanding bank mortgages. Then notify the County Tax Assessor that the taxes (i.e., liens) have been satisfied in full, so please take us off the tax rolls forever.

Lien and Debt Release Process:

1) There's a federal lien on all real estate.

2) Discover how much debt is attached to your property.

3) Borrow the FRN if necessary to discharge the debt in full, OR "pay" the debt in full with gold/silver (they will refuse to accept). (UCC1-306)

4) Sue the title insurance company for treble damages for not revealing the federal lien when you purchased the property and real estate in the first place.

5) Notify the County Tax Assessor that the property tax has been paid in full - send no more bills.

NOTE:

Real estate can be taxed; But Land Patents cannot be lawfully taxed!

:R686US -TORCH - 165 / 800

:R686US -TORCH - 165 / 800

:R686US -TORCH - 166 / 800
:R686US -TORCH - 166 / 800
:R686US -TORCH - 166 / 800

NOTES/COMMENTS

DEED IS A TRUST INSTRUMENT

Deeds & Conveyances
The deed is a sales (i.e., trust) instrument. If a deed is recorded at the County Recorders office, then the property or real estate is the trust property of the State. Note that NO rights convey or are warranted with a Quit Claim Deed. A "Warranty Deed" or other types of deeds does pass an interest in the land, (Not Title) admits valuable consideration, bargain, and sells and conveys the appurtenances and warrants the performance of a/the contract.

Note the elements of a "Warranty Deed":

What is a Deed?

1. Admits equity consideration
    a) Thought process,
    b) Must have full disclosure,
    c) $21 of real "money" is evidence of true consideration;
2. Passes rights and interest in property,
    a) Land is not bought or sold –it is granted,
    b) Those who do not update the patent have abandoned the right,
    c) Must be brought up in your sovereign name;
3. Bargain, sold and conveyed,
    a) Equity is fairness,
    b) Chattel and other appurtenances,
    c) Stuff and improvements on the land is bought;
4. Assignment is responsibility,
    a) Must be accepted or admitted;
5. Warrants performance,
    a) Will defend this title if contested,
    b) Exclusions such as: easements, right of ways, assessments, water, minerals. These cannot convey and cannot be warranted.

:R686US -TORCH - 168 / 800
:R686US -TORCH - 168 / 800

NOTES/COMMENTS

RECONVEY EQUITABLE TITLE TO FOREIGN ENTITY

Economic Sovereignty and Lawful Money

Regarding a Land Patent, you must be a sovereign "American" Citizen free of all legal disabilities to hold title to any land in the united states of America. Furthermore, get yourself out of indebtedness and become economically sovereign as quickly as possible. Then individually, you won't need the loan from a bank. As a sovereign "American" Citizen, you will not qualify for any loan from any bank, but foreign entities through which the property or real estate is purchased can.

Getting a "loan" is not paying for it either because the bank hasn't loaned you any "money." You can purchase the property or real estate even with a purported "loan" providing the loan is not in your name (let a foreign entity or trust purchase the property directly and qualify for the loan).

Rights and title to land does not convey without the tendering of real "money" or "consideration." Consideration is a thought process, and the "money" is evidence of it. If you haven't tendered at least $21 of gold/silver in the "purchase" of the property or real estate, then it hasn't been bought. Do not place the land in escrow. Do not get title insurance, or use the land as collateral or security against any debt. These are adhesion contracts and remove any true title from the land as a condition of the contract.

There are no rights or title conveyed on the improvements or buildings on the land, only equitable title and interest. Remember, if the property and real estate is recorded at the County Recorder, then it's a trust property of the State and you simply have the only equitable title.

Though while a Trust or foreign entity can hold equitable title, *a sovereign individual makes a claim to the TRUE TITLE.* The property and real estate must be re-conveyed to a Trust or foreign entity when purchased with a Bill of Sale must be re-recorded with the County Recorder. In matters of deeds and conveyances, you must be educated and know exactly what you're doing.

ALLODIAL TITLE v. EQUITABLE TITLE

Protection from Foreclosures.

You protect the land from foreclosure actions by banks, unlawful seizures and forfeitures by the government, and prevent foreclosure by the international bankers when the federal, United States of America government is officially declared.

ALLODIAL existed in law; land held absolutely in one's own right, and not of any lord or superior; land not subject to feudal duties or burdens.

MORTGAGE "A mortgage is a commercial lien and doesn't convey an estate or title...A bank has to prove it has title to the land in order to take it over...A title company insures absolutely nothing except the equity."

Allodial titles only apply to the land, not the improvements upon the land, which can still be attached by a commercial lien, although your creditors cannot walk across the land to seize the improvements without a trespass on the land.

Today, most American people do not "own" their land, not even after they have paid off the "mortgage" and satisfied the bank note. This comes as a surprise, perhaps a shock, to most people. Instead of sovereign, allodial ownership of property as the founding fathers intended, most people have only temporary possession and minimal control over a particular piece of land for so long as they pay the bank note, pay the taxes, submit to building codes and regulations, and the government can condemn or take the land for public use, with or without compensation.

Americans have not yet figured out that they have so little control over what they do on "their" land because they do not own it. The federal United States government maintains the true title in the original land patent, which it has unlawfully pledged as collateral against the federal debt. If you have the true title, the government couldn't utilize your land (Land Patent) as a security against the federal debt. Your government and the international bankers via the Federal Reserve Bank have been using your land for it's own purposes, without your knowledge or consent.

Getting a mortgage, and paying a bank note is nothing more than glorified "renting", a qualified and diminished "ownership," and a return to a feudal relationship with the land that the serfs and slaves endured for hundreds of years. Qualified ownership means that the ownership of land is shared (with the government), while absolute ownership is not.

The underlying reason the American Revolution was fought and won was over the right for the sovereign, state Citizens to own land absolutely, without government encroachment of any kind. The founding fathers abhorred the idea of feudal land and owing allegiance to any foreign, sovereign power.

The American people have unwittingly surrendered their allodial titles and sovereign rights as a condition of every bank contract or mortgage involving the purchase of land or property, or the use of land and property as collateral, and bought with debt currency, money substitutes, checks or other negotiable instruments. You can only "discharge" debt with negotiable instruments. Since you never actually pay for it with lawful money, unless its with gold or silver, you cannot "own" your land or property either. You are "renting" property with a "rented" debt currency system.

All land not held in allodial title has been hypothecated to the Federal Reserve Bank, as collateral against a federal debt that cannot be paid. As legal "persons," U.S. citizens have no right to "own" land, anymore than corporations or trusts could prior to the 14th Amendment. By defining U.S. citizens as legal persons, a doorway opened for legal "persons" such as corporations and trusts to gain control over land, and take it from the people.

U.S. citizens have entered adhesion contracts with the federal United States government under the 14th Amendment whereby their unalienable rights to own land absolutely in an allodial state, have been reduced to a qualified ownership and "color of title" under the Negotiable Instruments law. In the twentieth century, America has returned to the dark ages of feudalism, its former "American" Citizens having been reduced to tenants and renters once again, not the sovereign owners of their land.

Having an allodial title will not eliminate any debt or mortgage if any is presently attached to your land or property. The allodial title will prevent the creditor from going after your land to collect on the debt if you cannot make a payment for any reason. After having received proper notice, your creditors have sixty (60) days to challenge your "Land Patent." If they don't, the land reverts to its allodial title. If they do, they must take you to court, and you must demonstrate the superiority of your allodial title. The law is on the side of the sovereign "state" Citizen regarding allodial titles.

If for some reason, you cannot pay your mortgage or default on the loan, instead of a bank foreclosure whereby you lose everything, a land trust might be created whereby you and the bank become "partners" in the property until it's paid. With an allodial title, debts or claims will remain, but the land itself will be forever removed from assets upon which creditors can attach.

Allodial land cannot be foreclosed upon or have a lien placed on it. Debts or claims could be made though on the "improvements," although no "person" could access your property to seize the improvements without trespassing. Land and improvements are still separate and distinctly assessed for taxes. That's why banks primarily finance improvements not land, because they cannot attach liens or foreclose upon the land if it is ever declared allodial.

:R686US -TORCH - 173 / 800
:R686US -TORCH - 173 / 800
:R686US -TORCH - 173 / 800

NOTES/COMMENTS

ARE LAND PATENTS VALID?

Regarding the validity of allodial titles and Land Patents. It depends on whom you ask. If you ask an attorney, they'll snort and say it has no validity in the courts. If you ask the title insurance company, they'll hiss and snort and turn red in the face from embarrassment. If you ask a clerk at the Bureau of Land Management, they'll roll their eyes and say that land patents are worthless.

If you ask fellow 'Sovereign Citizen' or review the court record that have successfully kept the State or the banks from foreclosing on their property due to a land patent clouding the equitable title, then you would say it has validity. I assert there are hundreds of people who have successfully staved off government intervention through the use of land patents. How long that will last depends on the judicial and political activism of the American people. Still, there is no better way to cloud an equitable title than to update the land patent in "Your Name." **I personally can testify to the fact that land patents are valid because I have done it!**

Over one hundred and eighty (180) years of case law proves that Land Patents are in fact valid!!!!!!! None of which has ever been overturned!

LAND PATENTS CLOUD EQUITABLE TITLES

There haven't been any great victories in the courts lately, but then again we haven't had a justice system for several generations. The issue of Land Patents has already been decided, *res judicata.*

It also depends on the political strength of the Constitution and how diligent the courts are in upholding the law of the land. People want problems solved without taking any responsibility for creating them in the first place through ignorance, neglect and fear. It also depends on the political strength of the sovereign people. Are you willing to stand for your rights and property or NOT? Land Patents were upheld and respected for generations until the American people went to sleep. Suddenly, they're waking up and realizing they have been *had* by their own government!

:R686US -TORCH - 175 / 800

:R686US -TORCH - 175 / 800

Be prepared to defend your Land Patent in a Court of competent jurisdiction, Equity/Admiralty/Maritime court that has no jurisdiction to rule on the Land Patent. These patents are being upheld 50% of the time by local law enforcement and government officials, more often in rural areas than urban areas of the West. With over one hundred and eighty plus years of court cases proves that land patent is in fact valid!

Over 180 years of unanimous U.S. Supreme Court cases speak for themselves that land patents are valid:

WRIGHT v. MATTISON 18 HOW (1856)(9-0): The courts have concurred, it is believed, without an exception, in defining "color of title" to be that which in appearance is title, but which in reality is no title. Yet a claim asserted under the provisions of such a deed is strictly acclaim under color of title, hence, color of title, even under a void and worthless deed, has always been received as evidence that the person in possession claims adversely to the entire world. Color of title may be made through conveyances, or bonds, or contracts, or bare possession under parol agreements. We can entertain no doubt in this case that the auditor's deed to the purchaser at the tax sale is color of title in Woodward, in the true intent and meaning of the Statute, and without regard to its intrinsic worth as a title.

STONE v. UNITED STATES 69 U.S. (1865)(10-0): A patent is the highest evidence of title, and is conclusive as against the government, and all claiming under junior patents or titles, until it is set aside or annulled by some judicial tribunal. The patent is but evidence of a grant, and the officer who issues it acts magisterially and not judicially.

SANFORD v. SANFORD 139 U.S. (1891)(9-0): In ejectment, the question always is who has the legal title for the demanded premises, *not who ought to have it.* In such cases the patent of the government issued upon the direction of the land department is unassailable. A Court of equity has jurisdiction in such a case to compel the transfer to the plaintiff of property which, but for such fraud and misrepresentation, would have been awarded to him, and of which he was thereby wrongfully deprived.

CHANDLER v. CALUMET & HECLA 149 US (1893)(7-0): It is well settled that the state could have impeached the title thus conveyed to the canal company only by a bill in chancery to cancel or annul it, either for fraud on the part of the grantee, or mistake or misconstruction of the law on the part of its officers in issuing the patent. But whether there is any technical estoppel, in the ordinary sense, or not, it cannot be maintained that the state can issue two patents, at different dates to different parties, for the same land, so as to convey by the second patent a title superior to that acquired under the first patent.

Neither can the second patentee, under such circumstances, in an action at law, be heard to impeach the prior patent for any fraud committed by the grantee against the state, or any mistake committed by its officers acting within the scope of their authority and having jurisdiction to act and to execute the conveyance sought to be impeached. Neither the state nor its subsequent patentee is in a position to cancel or annul the title which it had authority to make, and which it had previously conveyed to the patentee.

:R686US -TORCH - 176 / 800

SARGEANT v. HERRICK 221 US (1911)(9-0): It is apparent that the validity of the tax title depends upon the question whether the location of the warrant in 1857, without more, gave a right to a patent. Among the conditions upon compliance with which such a right depends, none has been deemed more essential than the payment of the purchase price, which, in this instance, could have been made in money or by a warrant like the one actually used.

UNITED STATES v. CREEK NATION 295 US (1935)(9-0): They were intended from their inception to effect a change of ownership and were consummated by the issue of patents, the most accredited type of conveyance known to our law.

SUMMA CORP v. CALIFORNIA STATE EX REL. LANDS COM'N 466 US (1984)(8-0): The final decree of the Board, or any patent issued under the Act, was also a conclusive adjudication of the rights of the claimant as against the United States, but not against the interests of third parties with superior titles.

:R686US -TORCH - 176 / 800

Finally, in **UNITED STATES v. CORONADO BEACH CO. 255 US (1921):** The Court expressly rejected the Government's argument, holding that the patent proceedings were conclusive on this issue, and could not be collaterally attacked by the Government. The necessary result of the Coronado Beach decision is that even "sovereign" claims such as those raised by the State of California in the present case be barred.

FRIENDS OF MARTIN BEACH v. MARTIN BEACH Case No. CIV517634 (2013): These decisions control the outcome of this case. We hold that California cannot at this late date assert its public trust easement over petitioner's property, when petitioner's predecessors-in-interest had their interest confirmed without any mention of such an easement in proceedings taken pursuant to the Act of 1851. The interest claimed by California is one of such substantial magnitude that regardless of the fact that the claim is asserted by the State in its sovereign capacity, this interest, like the Indian claims made in **BARKER** and in **UNITED STATES v. TITLE INS. & TRUST CO.**, must have been presented in the patent proceeding or be barred.

After exclusive jurisdiction over lands within a State have been ceded to the United States, private property located thereon is not subject to taxation by the State, nor can state statutes enacted subsequent to the transfer have any operation therein.

Surplus Trading Company v. Cook, 281 US 647;

Western Union Telegraph Co. v. Chiles, 214 US 274;
Arlington Hotel v. Fant, 278 US 439;
Pacific Coast Dairy v. Department of Agriculture, 318 US 285.

Miscellaneous:

Fictitious entities, like trusts, corporations, etc., cannot obtain land patents except by express act of the united states Congress. An example of Congress granting land through patents to fictitious entities is the Railroad Grants made to compensate the railroad companies for building railroads across America.

A land patent is permanent and cannot be changed by the government after its issuance except in case of fraud, clerical error, or failure to pay the initial administrative fees. A statute of limitations applies, (2 years).

:R686US -TORCH - 178 / 800
:R686US -TORCH - 178 / 800

NOTES/COMMENTS